

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 02-1671

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United States of America,

Appellee,

v.

Juan Ledezma-Rodriguez,

Appellant.

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Appeal from the United States  
District Court for the  
Southern District of Iowa.

[UNPUBLISHED]

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Submitted: September 4, 2002

Filed: September 9, 2002

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Before BOWMAN, LOKEN, and MURPHY, Circuit Judges.

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PER CURIAM.

Juan Ledezma-Rodriguez appeals from the final judgment entered in the District Court<sup>1</sup> upon a jury verdict finding him guilty of possession with intent to distribute more than 500 grams of a mixture containing methamphetamine and amphetamine purported to be methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A) (1999); of possession of cocaine with intent to distribute, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B) (1999); of conspiracy to distribute cocaine and more than 500 grams of a mixture containing

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<sup>1</sup>The Honorable Robert W. Pratt, United States District Judge for the Southern District of Iowa.

methamphetamine and amphetamine purported to be methamphetamine, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(B) (1999); and of carrying a firearm in relation to a drug trafficking crime, in violation of 18 U.S.C. § 924(c) (2000). The District Court sentenced Ledezma-Rodriguez to life imprisonment on the conspiracy and methamphetamine distribution convictions, to a concurrent thirty-year term on the cocaine distribution conviction, and to a consecutive sixty-month term on the firearm conviction, plus concurrent supervised release terms of ten, six, and three years, respectively. On appeal, counsel has moved to withdraw and filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that the District Court erred in denying Ledezma-Rodriguez's motion for a new trial, in which Ledezma-Rodriguez argued that the jury's verdicts were based on perjured testimony and were otherwise unsupported. We affirm.

The District Court did not clearly and manifestly abuse its discretion in denying the new trial motion. See United States v. Covey, 232 F.3d 641, 647 (8th Cir. 2000) (standard of review), cert. denied, 122 S. Ct. 39 (2001). The government presented the testimony of police officers and a drug agent linking Ledezma-Rodriguez with drug trafficking and with a firearm, based on items found during a traffic stop and during a search of a residence Ledezma-Rodriguez used. And despite Ledezma-Rodriguez's contention that the testimony was false, the jury was entitled to believe the testimony of Ledezma-Rodriguez's coconspirators that Ledezma-Rodriguez was involved in the trafficking of methamphetamine and cocaine in the quantities found and that he carried a firearm in connection with his drug trafficking. See United States v. Fellers, 285 F.3d 721, 725 (8th Cir. 2002) (credibility determinations are left to jury); United States v. Stroh, 176 F.3d 439, 440 (8th Cir. 1999) (sufficiency of evidence reviewed in verdict's most favorable light).

Having reviewed the record independently pursuant to Penon v. Ohio, 488 U.S. 75 (1988), we find no nonfrivolous issues.

Accordingly, we affirm, and we grant counsel's motion to withdraw.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.